

JUDICIAL MERIT SELECTION COMMISSION
Sworn Statement to be included in Transcript of Public Hearings

Circuit Court
(Incumbent)

Full Name: William Jeffrey Young
Business Address: 215 North Harvin Street; Sumter, SC 29150
Business Telephone: 803-436-2152

1. Why do you want to serve another term as a Circuit Court Judge?

Having served in several positions in the South Carolina government and judiciary, I want to continue my service in a court of General Jurisdiction. I find the service exciting and rewarding and I enjoy working with the citizens as they exercise the rights of a free people.

2. Do you plan to serve your full term if re-elected?

Yes

3. Do you have any plans to return to private practice one day?

Not at this time.

4. Have you met the Constitutional requirements for this position regarding age, residence, and years of practice?

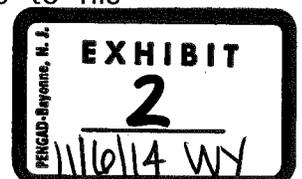
Yes

5. What is your philosophy regarding *ex parte* communications? Are there circumstances under which you could envision *ex parte* communications being tolerated?

As I have practiced for over the last ten years, *ex parte* communications should be avoided, except in limited situations. Such situations would occur when scheduling for administrative purposes or emergencies that do not deal with the substance of the matter. I also assure myself that the communications are not used to gain a tactical advantage by one party over the other. It is crucial that the provisions be made to notify the other parties and they have the ability to promptly be heard on the issues. I make it a practice to only issue an *ex parte* order when the safety of someone is involved or irrevocable harm will occur by not granting the *ex parte* order.

6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?

I believe the appearance of impartiality of the Judiciary is extremely important to the integrity of the Judiciary. If a former associate or partner appears before me, I inform the opposing counsel or party of the relationship and if it is perceived that a bias is present, I believe it is prudent to recuse myself. In Sumter my brother practices law; I do not touch anything that has his name on it. As to his



associates, I inform the opposing party of the relationship with my brother and unless they specifically consent to the case going forward, I recuse myself. I go so far as to inform all parties in a matter when my Administrative Assistant's husband (a Sumter Police Officer) is involved in a case and give each party the opportunity to consent to the case going forward.

7. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion?

I would probably grant the motion for recusal because of what may be perceived as a conflict. There are always other judges who can hear the case.

8. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?

I believe the appearance of impropriety in finances or social involvement of my spouse or close relative could in fact give the wrong perception and hint of bias in the proceeding. I think recusal would be proper, unless all parties consent after full disclosure.

9. What standards have you set for yourself regarding the acceptance of gifts or social hospitality?

As I have done over the last ten years, I simply do not accept gifts and quite frankly no one has offered any gifts to me.

10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?

I would question the offending party about the situation to establish what occurred and then report so a proper and fair investigation can be conducted.

11. Are you affiliated with any political parties, boards or commissions that, if you were re-elected, would need to be re-evaluated?

NO

12. Do you have any business activities that you would envision remaining involved with if reelected to the bench?

NO

13. How do you handle the drafting of orders?

As I have done over the last ten years, I will either draft them promptly or appoint one attorney to draft and submit to me after allowing the opposing attorney to review and comment.

14. What methods do you use to ensure that you and your staff meet deadlines?

As I do now, my Administrative Assistant closely tracks all of my deadlines. We use a daily and weekly reminder system, a log of incoming and outgoing orders. No order or correspondence comes in

or out of my office without being logged and/or scanned into the computer.

15. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?

As I have ruled in several cases, public policy in SC is established by General Assembly and the Supreme Court. The purpose of a trial court is to determine the facts, apply the settled law of the State of South Carolina and make a ruling.

16. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities do you plan to undertake to further this improvement of the legal system?

I would like to continue speaking to youth at the local schools, bar events or law schools concerning our legal system and its importance in our society.

17. Do you feel that the pressure of serving as a judge strains personal relationships (i.e. spouse, children, friends, or relatives)? How do you address this?

It has not strained my family in the last ten years and I do not believe it will in the future.

18. The following list contains five categories of offenders that would perhaps regularly appear in your court. Discuss your philosophy on sentencing for these classes of offenders.

- a. Repeat offenders:

I sentence in accordance to the statutory and case law of the state of South Carolina to assure the protection of the public and provide justice to the individual depending on the facts of the that particular case.

- b. Juveniles (that have been waived to the circuit court):

Juveniles who have been waived to the circuit court are sentenced in accordance with the statutory and case laws of South Carolina depending upon the facts of that case. I have not yet had this experience.

- c. White collar criminals:

I do not sentence any harder or lighter merely because the crime is considered a "white collar" crime. The statutory and case laws of South Carolina and the facts of the case will be my guide.

- d. Defendants with a socially and/or economically disadvantaged background:

I sentence in accordance with the statutory and case law of South Carolina depending upon the facts of this particular case.

- e. Elderly defendants or those with some infirmity:

I weigh the threat to the safety of the community with the rights of the individual and applying the statutory and case law of our state before making a ruling.

19. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?
No
20. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?
No
21. Do you belong to any organizations that discriminate based on race, religion, or gender?
No
22. Have you met the mandatory minimum hours requirement for continuing legal education courses?
Yes
23. What do you feel is the appropriate demeanor for a judge?
Calm and deliberate.
24. Do the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or do these rules apply seven days a week, twenty-four hours a day?
Yes, as they have for the last ten years.
25. Do you feel that it is ever appropriate to be angry with a member of the public, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or a pro se litigant?
No, anger clouds judgment and clouded judgment leads to injustice. As I have done over the last ten years, if ever angered by inappropriate behavior of a party (which is rare), I reserve my ruling until any harsh feelings are dissipated. I then issue an order that I believe to be fair and just under the circumstances of that particular case based upon the law and facts.
26. How much money have you spent on your campaign?
If it is over \$100, has that amount been reported to the House and Senate Ethics Committees? None
27. While campaigning for this office, have you used judicial letterhead or the services of your staff for your campaign?
NO
28. Have you sought or received the pledge of any legislator prior to this date?
No
29. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening?
No

30. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf?
No
31. Have you contacted any members of the Judicial Merit Selection Commission?
No
32. Are you familiar with the 48-hour rule, which prohibits a candidate from seeking pledges for 48 hours after the draft report has been submitted?
Yes

I HEREBY CERTIFY THAT THE ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

William Jeffrey Young

Sworn to before me this 18 day of July, 2014.

Tina M. Christmas
(Print Name)
Notary Public for South Carolina
My commission expires: May 18, 2022